

JOHN F. CORCORAN, CLERK  
BY: *L. Bright*  
DEPUTY CLERK

1. The Report and Recommendations of the Magistrate Judge (Dkt. No. 59) is **ADOPTED** in its entirety;
2. For the reasons stated in the Magistrate Judge's Report, the motion for summary judgment (Dkt. No. 39) is **GRANTED** as to plaintiff's federal constitutional claims under 42 U.S.C. § 1983;

3. To the extent plaintiff attempts to raise separate claims under the Universal Declaration of Human Rights (see Dkt. No. 4, p. 6), such claims are hereby **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(b), for failure to state an actionable claim;

4. To the extent that plaintiff raises any claims under state law, such claims are hereby **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1367(c), as the court declines to exercise supplemental jurisdiction;

4. Plaintiff's motion to dismiss plaintiff's response to defendant's requests for admissions (Dkt. No. 54) is **DISMISSED** as moot; and

5. This action is hereby stricken from the active docket of the court.

The Clerk is directed to send a copy of this order to plaintiff and to counsel of record for the defendants.

ENTER: This 24<sup>th</sup> day of February, 2010.

  
\_\_\_\_\_  
United States District Judge